

HELENA

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March 18, 2016

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Montana Environmental Quality Council
P.O. Box 201704
Helena, MT 59620-1704

**Re: City of Harlowton Phase 3 Water System Improvement
Environmental Notice**

On behalf of the Harlowton City Commissioners, enclosed please find the following document:

COMBINED NOTICE (FONSI/NOI/RROF)

Should you have any questions, please contact the project's Environmental Certifying Officer, Harlowton Mayor Jeff Sell (406) 632-5523. Written comments should be sent to 17 S. Central Avenue, Harlowton, MT 59036.

Sincerely,

Great West Engineering, Inc.

A handwritten signature in black ink that reads "Prescott".

Elisa Prescott
Funding Specialist

Enclosure (1)

BILLINGS

115 N Broadway
Suite 500
Billings, MT 59101
406.652.5000
Fax 406.248.1363

**COMBINED NOTICE: FINDING OF NO SIGNIFICANT IMPACT and NOTICE TO PUBLIC
OF REQUEST FOR RELEASE OF FUNDS (FONSI/NOI/RROF)**

March 17, 2016

City of Harlowton
P.O. Box 292
Harlowton, Montana
(406) 632-5523
ctyharlo@itstriangle.com

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before April 4, 2016, the City of Harlowton will ask the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

City of Harlowton Phase 3 Water System Improvements
CDBG Project Title or Name

The proposed solution for CDBG funding focuses on mitigating the imminent public health and safety problems associated with the fragile cast iron distribution mains, particularly contiguous to, and downgradient from the Mager LUST Trust Fund Site area. The City has separated the project's scope of work into the following phases with CDBG funding obligated for Phase 3b.

Phase 3a of the project will replace approximately 4,800 feet of failing cast iron pipe within the Mager LUST Trust Fund with PE wrapped ductile iron pipe using nitrile gaskets and upgrade chlorine gas storage facilities at the City's Thompson Wellhouse.

Phase 3b will replace about 1,200 feet of failing cast iron pipe contiguous to and/or downgradient from, the Mager LUST Trust Fund Site with PE-wrapped ductile iron pipe using nitrile gaskets.

Purpose or Nature of the CDBG Project

City of Harlowton, Wheatland County, Montana
Location - City, County, State - of CDBG Project

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above named City has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows:

1. According to 75-1-201(1)(b)(iv), MCA an EIS is a detailed environmental review that is required whenever an agency proposes a major action that will significantly affect the quality of the human environment.
2. The proposed project will replace existing water mains in existing roadways, streets, alleyways and easements. The acquisition of land is not anticipated. No new effects on the human environment will be experienced because of the project. Therefore, an EIS is not required.
3. It has been demonstrated that a mitigated environmental assessment is appropriate for the level of potential impact that may be encountered during construction. That is,
 - a) All impacts of the proposed action have been identified,
 - b) The City will mitigate all impacts below the level of significance, and
 - c) No significant impact is likely to take place.

An Environmental Review Record documenting review of all project activities with respect to impacts on the environment has been made by the City mentioned earlier. This Environmental Review Record is on file at the above address and is available for public examination between the hours of 9:00 a.m. and 3:00 p.m.

No further environmental review of such project is proposed to be conducted before the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the City of Harlowton to the office of the undersigned on or before April 4, 2016. All such comments so received will be considered, and the City will not request the release of funds or take any administrative action on the project before the date specified in the preceding sentence.

Release of Funds

The City of Harlowton will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended. The City of Harlowton is certifying to DOC that Jeff Sell, in his official capacity as Mayor of the City of Harlowton consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval; the Harlowton City Council may use the CDBG funds, and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;

(b) that the applicant's environmental review record for the project indicates the omission of a required decision, finding, or step applicable to the project in the environmental review process;

(c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or

(d) another Federal agency acting under 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after April 22, 2016 will be considered by DOC.

Mayor Jeff Sell, City of Harlowton
Name of Environmental Certifying
Officer or Chief Elected Official

March 17, 2016
Date

17 S. Central Avenue
Street Address

City of Harlowton, Wheatland County, Montana 59036
City, County, State, Zip Code